

Fill in this information to identify your case:

United States Bankruptcy Court for the:

WESTERN DISTRICT OF TEXAS

Case number (if known)

Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Advance Transportation Services Incorporated

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 84-2948613

4. Debtor's address Principal place of business

12308 Red Sun Dr.
El Paso, TX 79938

Number, Street, City, State & ZIP Code

El Paso
 County

Mailing address, if different from principal place of business

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify:

Debtor **Advance Transportation Services Incorporated**
Name

Case number (if known) _____

7. Describe debtor's business A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, and it chooses to proceed under Subchapter V of Chapter 11. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District _____
District _____

When _____
When _____

Case number _____
Case number _____

Debtor **Advance Transportation Services Incorporated**
Name

Case number (if known)

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?
- ☒ No
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor
District

When

Relationship

Case number, if known

11. Why is the case filed in this district?
- Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

- ☐ It needs to be physically secured or protected from the weather.

- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

- ☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

- ☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000☐ \$50,001 - \$100,000☒ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000☐ \$1,000,001 - \$10 million☐ \$500,000,001 - \$1 billion

Debtor	Advance Transportation Services Incorporated	Case number (if known)	
	<small>Name</small>		
	<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
	<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
	<input checked="" type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

Debtor **Advance Transportation Services Incorporated**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures**WARNING** – Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

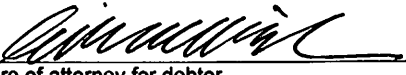
I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

MM / DD / YYYY

X 
Signature of authorized representative of debtorAbraham J. Wardy
Printed nameTitle President**18. Signature of attorney**X 
Signature of attorney for debtor

Date

11-29-21
MM / DD / YYYYE.P. BUD KIRK
Printed nameE.P. BUD KIRK
Firm name600 Sunland Park Dr.
Building Four, Ste. 400
El Paso, TX 79912

Number, Street, City, State & ZIP Code

Contact phone 915-584-3773Email address budkirk@aol.com11508650 TX

Bar number and State

**UNANIMOUS CONSENT
OF THE SHAREHOLDERS AND DIRECTORS OF
ADVANCE TRANSPORTATION SERVICES INCORPORATED**

The undersigned being the sole shareholder and only director of ADVANCE TRANSPORTATION SERVICES INCORPORATED, a Texas corporation, acting without a meeting pursuant to the Business Corporation Act of the State of Texas, does hereby unanimously adopt the following resolutions with the same force and effect as if they had been adopted at a duly called regular meetings of the directors and shareholders of ADVANCE TRANSPORTATION SERVICES INCORPORATED:

RESOLVED, That in view of the adverse financial condition of this corporation, this corporation file a reorganization proceeding under Chapter 11, Sub Chapter V of the Bankruptcy Code.

FURTHER RESOLVED, That ABRAHAM J. WARDY, President of this corporation, be, and he is hereby authorized to sign on behalf of this corporation all petitions, schedules, and all other documents necessary, or which he shall in his sole discretion deem desirable, in connection with such bankruptcy proceeding. AND IT IS

FURTHER RESOLVED, that a copy of this Resolution shall be filed in the minutes books of the corporation.

EXECUTED on this 29 day of November, 2021.



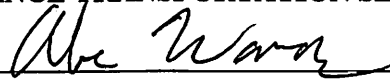
ABRAHAM J. WARDY, Sole Director and Sole Shareholder

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

STATEMENT

Petitioners are qualified to file this Petition and are entitled to the benefits of Title 11, United States Code as voluntary debtors, having not been debtors in a case pending under this Title at any time in the preceding 180 days in which the case was dismissed by the Court for willful failure to abide by orders of the Court, or to appear before the Court in the proper prosecution of the case, or in a case where the voluntary dismissal of a case was requested and obtained following the filing of a request for relief from the automatic stay provided by Section 362 of Title 11, United States Code.

ADVANCE TRANSPORTATION SERVICES, INCORPORATED



ABRAHAM J. WARDY
Its: President

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

In re
ADVANCE TRANSPORTATION
SERVICES INCORPORATED,
Debtor.

§
§
§ No.
§
§

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case as follows:

For legal services, I have agreed to accept	\$300.00/hr.
Prior to the filing of this statement I have received	\$9,833.00.
Balance Due	Hourly as earned.
Amount of filing fee remaining to be paid	\$.00.

2. The source of compensation to be paid to me was:

 X Debtor Other (Specify)

3. The source of compensation to be paid to me is:

 Debtor Other (Specify)

4. X I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

 I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;

- c. Representation of the debtor at the meeting of creditors and confirmation hearing (if any), and any adjourned hearings thereof;
 - d. Representation of the debtor in contested bankruptcy matters as those are defined under the Bankruptcy Rules.
 - e. Other services necessary and proper to obtain an effective reorganization.
6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

Any adversary proceedings (if applicable) to accomplish a turnover, avoid a transfer, or litigate dischargeability or discharge. Also, the fees do not cover any services necessary to cure post-petition defaults to secured creditors.

AGREED TO BY THE DEBTOR:

Date: 11/29/21

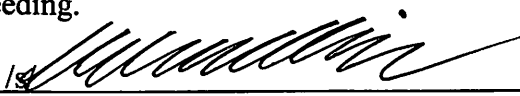
ADVANCE TRANSPORTATION SERVICES INCORPORATED


ABRAHAM J. WARDY
Its: President

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor in this bankruptcy proceeding.

11-29-21
Date


E.P. BUD KIRK
Texas State Bar No. 11508650
600 Sunland Park Dr.
Building Four, Suite 400
El Paso, Texas 79912
(915) 584-3773
(915) 581-3452 facsimile
budkirk@aol.com

Attorney for the Debtor

**United States Bankruptcy Court
Western District of Texas**

In re Advance Transportation Services Incorporated

Debtor(s)

Case No.
Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date:

11-29-21



Abraham J. Wardy/President
Signer/Title

American Express
P.O. Box 650448
Dallas, TX 75265-0048

BFS Capital
1970 Oakcrest Ave, Suite 217
Saint Paul, MN 55113

Celtic Bank
268 South State Street
Salt Lake City, UT 84111

CIT
10201 Centuarion Parkway North
Suite 100
Jacksonville, FL 32256

E Advance Services
122 East 42nd Street, Ste. 2112
New York, NY 10168

EP Leasing, LLC
P.O. Box 290775
El Paso, TX 79935

Franco Factoring
6929 Imperial Ridge Dr.
El Paso, TX 79912-7616

Internal Revenue Service
Centralized Insolvency Office
P.O. Box 7346
Philadelphia, PA 19101-7346

IRS Insolvency Office
300 E. 8th Street, Mail Stop 5026AUS
Austin, TX 78701

Kabbage
505 Lakeland Plaza Ste #347
Cumming, GA 30040

LoanBuilder
3505 Silverside Rd. Suite 200
Wilmington, DE 19810

On Deck Capital
1400 Broadway 25th Floor
New York, NY 10018-5225

Penske
P.O. Box 563
Reading, PA 19603

Penske Truck Leasing
11451 Chito Samaniego Dr.
El Paso, TX 79936

People's Premium Finance
600 SW Jefferson, Suite 204
Lee Summit, MO 64063

Prime Advance
525 Walker Street
Bloomington, IN 47403

Regal Capital
525 Walker Street
Bloomington, IN 47403

S.W.I.T.
2959 Irving, Blvd.
Dallas, TX 75247

United States Attorney
Civil Process Clerk-
Internal Revenue Service
601 N.W. Loop 410, Suite 600
San Antonio, TX 78216

United States Attorney General
Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Vista Star Scot Properties
P.O. Box 522541
El Paso, TX 79952

World Global Capital
116 Nassau Street, Suite 804
New York, NY 10038

Yes Capital
525 Walker Street
Bloomington, IN 47403